

Message

From: Bahrman, Sarah [Bahrman.Sarah@epa.gov]
Sent: 3/20/2017 6:33:26 PM
To: Minter, Douglas [Minter.Douglas@epa.gov]
CC: McClain-Vanderpool, Lisa [Mcclain-Vanderpool.Lisa@epa.gov]; Shea, Valois [Shea.Valois@epa.gov]; Chin, Lucita [Chin.Lucita@epa.gov]; Garcia, Bert [Garcia.Bert@epa.gov]; O'Connor, Darcy [oconnor.darcy@epa.gov]
Subject: Re: URGENT - Public Comments at Valentine, NE - what should I do about this comment?

Thanks, Douglas. I suggest adding a talking point about the 4 public hearings (locations and date range). Hopefully the tribes present would then provide feedback on the locations specifically if that is a concern as this commenter suggests.

On Mar 20, 2017, at 12:17 PM, Minter, Douglas <Minter.Douglas@epa.gov> wrote:

Sarah: your approach seems appropriate regarding tribal leadership. Callie was provided the following talking points in preparation for this week's meeting:

- The EPA consulted with seven Tribes under the EPA Tribal Consultation Policy and National Historic Preservation Act, Section 106.
- The EPA has considered the concerns and input received from tribes to date, and has incorporated these concerns into the UIC draft permit requirements and a cumulative effects analysis document.
- The draft underground injection control permits and proposed aquifer exemption decision were issued for public comment on March 6. The EPA made calls to the eight Tribes requesting consultation with the EPA on the project and sent emails to 38 tribes announcing the issuance of these proposed actions for public comment. The public comment period extends through May 19.
- The EPA will soon send emails out to Environmental Directors and Tribal Historic Preservation Officers announcing web conferences to present information on the draft permit requirements and proposed aquifer exemption to encourage the Tribes to provide comments to the EPA on these proposed actions. *(maybe encourage attendees to look for these emails and respond back to schedule these web conferences? I am willing to set up individual web conferences with each Tribe at their convenience.)*
- The EPA anticipates further consultation with tribes to complete the NHPA section 106 process. Specifically, the EPA is requesting consultation
 - to identify traditional cultural properties at the Dewey-Burdock Project Site Area of Potential Effects,
 - to discuss the potential adverse effects of the proposed project, and
 - on measures to avoid, minimize, or mitigate potential adverse effects on historic and traditional cultural properties at the site.

Douglas

From: Bahrman, Sarah
Sent: Monday, March 20, 2017 11:48 AM
To: Minter, Douglas <Minter.Douglas@epa.gov>
Cc: McClain-Vanderpool, Lisa <Mcclain-Vanderpool.Lisa@epa.gov>; Shea, Valois <Shea.Valois@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Garcia, Bert <Garcia.Bert@epa.gov>; O'Connor, Darcy <oconnor.darcy@epa.gov>
Subject: Re: URGENT - Public Comments at Valentine, NE - what should I do about this comment?

I suggest that Darcy talk to tribal leadership at RTOC this week to let them know what our schedule is for public hearings and to reiterate our desire to engage with the tribes through this process. If they have concerns with the location, we could then listen.

OST and SRST will both have leaders in attendance.

Does this work for others? Other ideas?

On Mar 20, 2017, at 11:41 AM, Minter, Douglas <Minter.Douglas@epa.gov> wrote:

Thanks Lisa: I am copying in Darcy, Sarah, and Bert at this point in case they have any input, etc.

Douglas

From: McClain-Vanderpool, Lisa
Sent: Monday, March 20, 2017 11:38 AM
To: Minter, Douglas <Minter.Douglas@epa.gov>; Shea, Valois <Shea.Valois@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>
Cc: Bahrman, Sarah <Bahrman.Sarah@epa.gov>
Subject: RE: URGENT - Public Comments at Valentine, NE - what should I do about this comment?

We could run the ads again and/or we could seek out some local papers and see if they'll run an editorial where we convey our interest in public engagement and comment – it won't be addressing the issue of not holding a hearing on the reservation though.

I'm not sure if there is a misconception – we are holding it in Valentine so tribal members can attend aren't we? Is there any interest at all in trying again to get Tribal acceptance of a public hearing on the reservations?

Lisa

From: Minter, Douglas
Sent: Monday, March 20, 2017 11:30 AM
To: Shea, Valois <Shea.Valois@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; McClain-Vanderpool, Lisa <McClain-Vanderpool.Lisa@epa.gov>
Cc: Bahrman, Sarah <Bahrman.Sarah@epa.gov>
Subject: RE: URGENT - Public Comments at Valentine, NE - what should I do about this comment?

Thanks Valois: not knowing who this person represents other than herself, my initial response is that it is ultimately up to the public whether and how they choose to engage in our hearings and our public process overall. Have other comments expressed this sentiment?

Lisa: is there more we should consider regarding communications on our wanting as many folks engaged as possible, etc.?

Douglas

From: Shea, Valois
Sent: Monday, March 20, 2017 10:56 AM
To: Chin, Lucita <Chin.Lucita@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>; McClain-Vanderpool, Lisa

<Mcclain-Vanderpool.Lisa@epa.gov>

Subject: FW: URGENT - Public Comments at Valentine, NE - what should I do about this comment?

I don't want to let this misconception persist. Is there something we can do to clarify, since it is not about the permits or the AE?

Thanks!

Valois

Valois Shea
U.S. EPA Region 8
MailCode: 8WP-SUI
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: shea.valois@epa.gov

From: Ex. 6 Personal Privacy (PP)

Sent: Saturday, March 18, 2017 4:21 PM

To: Shea, Valois <Shea.Valois@epa.gov>

Subject: Public Comments at Valentine, NE

I was told the reason you scheduled a meeting in Valentine on April 27, 2017 at Niabrara Lodge is so the two reservations in South Dakota would have a place to comment. It isn't going to happen. If you truly want comments from the two reservations, you will have to hold them on the reservations. Contrary to public knowledge, the reservations have modern hotels and large public meeting places on the reservations. In fact, Rosebud has a very modern hotel and meeting rooms, just twelve miles north of Valentine at the state line of South Dakota. Because they are not welcome in Valentine, unless they come in the daytime to spend their money. Yes, discrimination is alive and well in the United States, before Trump started spewing his hate on us.

Ex. 6 Personal Privacy (PP)